

Box 521 Sector

PATENTS
Atty. Docket No. 45163-1008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 1645
Bi-yu LI et al.)
Serial No.: 09/896,324)
Filed: June 29, 2001)
For: METHOD FOR IDENTIFICATION,)
SEPARATION AND QUANTITATIVE)
MEASURE OF NUCLEIC ACID)
FRAGMENTS)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER And
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed July 31, 2001, enclosed please find the following. Items 1-5 are in response to the Notice to File

Missing Parts of Application:

1. Return copy of the Notification of Missing Requirements under 35 U.S.C. 371, mailed July 31, 2001;
2. Check in the amount of \$130.00 to cover the surcharge for late filing of the declaration;
3. Combined Declaration and Power of Attorney executed by the inventors;

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: September 26, 2001

Signature:

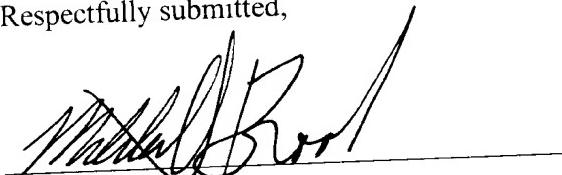
Karen M. Cruz

582577v1

4. Statement under 37 C.F.R. §1.821(F); and
5. Sequence Listing, on hard copy and computer disk.

Although it is believed no additional fee is due for this filing, in the event that the Examiner determines an additional fee is due, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to our deposit account, No. 02-0410 in the name of Baker & McKenzie. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Mitchell P. Brook
Attorney for Applicant
Reg. No. 32,967
c/o BAKER & MCKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

PATENTS
Atty. Docket No. 45163-1008



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 1645
Bi-yu LI et al.)
Serial No.: 09/896,324)
Filed: June 29, 2001)
For: METHOD FOR IDENTIFICATION,)
SEPARATION AND QUANTITATIVE)
MEASURE OF NUCLEIC ACID)
FRAGMENTS)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. § 1.821 (F)

Dear Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821 (e), (f) and (g), or § 1.825 (d) and (b) respectively, are the same.

Respectfully submitted,



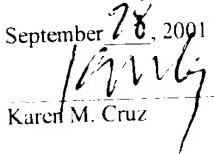
Mitchell P. Brook
Attorney for Applicant
Reg. No. 32,967
c/o BAKER & MCKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: September 28, 2001

Signature:



Karen M. Cruz

582571v1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/896,324	06/29/2001	Bi-Yu Li	45163-1008



Mitchell P. Brook
 Baker & McKenzie
 Twelfth Floor
 101 Broadway
 San Diego, CA 92101

CONFIRMATION NO. 8386

FORMALITIES LETTER



OC00000006365744

Date Mailed: 07/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE